## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

| DAVID BIEBEL,<br>vs.<br>KOHL'S DEPARTN | Plaintiff  MENT STORE,  Defendant | )<br>)<br>)<br>) | ERIE DIVISION<br>CIVIL ACTION NO. 05-10    |   |
|--|-----------------------------------|------------------|--|---|
|  | ORD                               | ER OF            | COURT                                      |   |
| AND NOW,                               | this day of Aug                   | ust, 200         | 5, it is hereby ORDERED and DECREEI        | ) |
| that the Motion for S                  | summary Judgment file             | ed by de         | fendant, Kohl's Department Stores, Inc. is | S |
| DENIED.                                |                                   |                  |  |   |
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